FITZROY SQUARE FRONTAGERS’ & GARDEN COMMITTEE

 From David Griffiths

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Dear Pierre

Maintenance of the Fitzroy Square Garden

Following the Annual General Meeting on Wednesday 20th May 2015, clarity is important when it comes to those who may cast a vote and those who have no right to do so.

As you know, the Garden Rate demand to the business occupiers (the Levy) is based on the Rateable Value (RV) of the premises occupied. Apart from Council Tax payers, it would be appropriate for individual businesses that pay a voluntary contribution to cast a vote as was the case when the lady from KJ Tait voted as the company she represented pays a voluntary contribution.

It was agreed at the AGM that a formal Constitution should be drawn up and the rules governing those permitted to vote should be unambiguously stated. If proxy votes are to be allowed and there is no reason why that should not be, then such votes must be formally presented in writing on a form to be designed for such purposes.

Furthermore it would be good policy to include within the new proposed Constitution a maximum and minimum number of officials and members to form the committee. I suggest Chair, Secretary, Treasurer plus seven Committee Members.

It has been suggested that “one front door, one vote”. That does not enable those who pay for the upkeep, either residents or business occupiers necessarily to have their view heard. Every resident who pays Council Tax and every business that pays towards the garden upkeep should be entitled to cast a vote, in proportion to amounts paid by those individual businesses. A set of guidelines would need to be drawn up for consideration , as some businesses pay a substantial sum compared with others which hitherto has depended on the size of the office space occupied. As you know, the voluntary business’ contributors pay significantly more than the private residents, £9,006/£21,509 (2015) and £9,006/£25,788 (2014.)

I suggest that Committee members should be elected for a three year term, following which the same Committee members may stand for a further three year term subject to a majority vote in their favour. If an official remains for two consecutive three years terms, then a gap of one year must pass before standing for re-election.

Voting should take place by the completion of a voting paper to elect/ re-elect officials and committee members (subject to the three year rule), who should be proposed and seconded in advance of the meeting. A voting paper should be sent to every Council Tax payer and every Business that pays the voluntary levy. At least three weeks’ notice of any meeting should be given. Those wishing to be elected or re-elected should present ***in writing*** their reasons and the benefit they would bring to Fitzroy Square. Their resumes should then be circulated to all private residents and business levy contributors in advance to enable voters to make considered decisions.

Should the number standing for election/ re-election be greater than the maximum permitted there would need to be a waiting period until such time as there were vacancies. There is a case for co-opting others who are not members from the main committee to form sub committees headed by at least one member from the main committee. Those co-opted and not on the main committee would not be eligible to be present at main committee meetings.

If it is considered appropriate to obtain legal opinion as to the wording of the proposed new Constitution, then this should be handled by a firm of solicitors who are independent of FSFGC and are able to give unbiased advice.

When a draft document has been prepared for the formal Constitution, an Extraordinary General Meeting (EGM) should be called. All Council Tax payers and Business Rate levy payers should be invited to attend.

This is the type of format used by other clubs and societies and now that we are looking to present the Fitzroy Square Frontagers’ & Garden Committee in a formal mode, the suggestions put forward should be seriously considered.

With kind regards

David Griffiths